

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

**KEVIN FADDIS,**

**Plaintiff,**

**vs.**

**WESTFIELD INSURANCE  
GROUP,**

**Defendant.**

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**Case No. 3:09-cv-193  
(R. Leon Jordan, Judge,  
C. Clifford Shirley,  
Magistrate Judge)  
  
(Jury Demand)**

**PARTIAL MOTION TO DISMISS**

Pursuant to Rule 12(b)(6) of the *Federal Rules of Civil Procedure*, Defendant Westfield Insurance Group (“Defendant”) respectfully moves this Court for an Order dismissing the punitive damages claim against it on grounds that the Plaintiff’s Complaint (Doc. 1-1) fails to state a valid claim for punitive damages against it as a matter of law. The basis for this Motion is fully set forth in the Memorandum in Support.

**Respectfully submitted,**

**WESTFIELD INSURANCE GROUP**

By: s/S. Morris Hadden  
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## **CERTIFICATE OF SERVICE**

I hereby certify that on May 8, 2009, a copy of the foregoing **Partial Motion to Dismiss** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U. S. Mail. Parties may access this filing through the Court's electronic filing system.

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